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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-second session

SUMMARY RECORD OF THE 1262nd MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 12 March 1998, at 3 p.m.

Chairman: Mr. DIACONU

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In the absence of Mr. Aboul-Nasr, Mr. Diaconu, Vice-Chairman, took the Chair.

The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 7) (continued)

Eleventh to fourteenth periodic reports of Yugoslavia (CERD/C/299/Add.17; HRI/CORE/1/Add.40) (continued)

1. At the invitation of the Chairman, the members of the delegation of Yugoslavia resumed their places at the Committee table.

2. Mr. SHAHI said that in the course of his statement that morning, to which the representative of Yugoslavia had referred, he had quoted paragraph 11 of the Committee's General Recommendation XXI. That quotation and his remarks thereon must be interpreted strictly in the context of that General Recommendation and not in the context of the rights of minorities, to which he had not referred at all, nor to the United Nations declaration in which those rights were spelled out.

3. Mrs. SAVOVIC (Yugoslavia), replying to a question on education in Kosovo, said that although for over seven years pupils belonging to the Albanian minority had been attending schools operating under the parallel education system, the State had opened more than 90 per cent of primary schools and more than 60 per cent of secondary schools to them. Private schools in Kosovo and Metohija currently offered higher education in Albanian. However, the State also provided education in Albanian at the university of Priština under Serbia's single educational system. In 1992, at the Geneva conference, it had been concluded that failure to make progress towards resolving the issue of education for the Albanian minority had been due to obstruction on the part of the members of that minority, who had not accepted any of the proposals made by the Government. It had been proposed that all the years which pupils had spent outside Serbia's school system would be recognized, that all the teachers of Albanian nationality would be reinstated in their posts and that they would be paid compensation for the salaries they had not received during that period, that the 1990 curricula would be applied in schools, and that Albanian pupils would be enrolled without entrance examinations. The Government had maintained that proposal, but the agreement signed had not been implemented for the political reasons already mentioned. The only condition posed by the Government had been that school documents and diplomas must bear the inscription of the Republic of Serbia, which apparently was unacceptable to the Albanian minority.

4. In the field of health care, satisfactory results could be achieved if there was good faith and cooperation. For instance, the State had carried out a successful inoculation campaign for children with the support of the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF) and with the active participation of the Albanian minority. That initiative had helped to build confidence among many members of the Albanian national minority in the State public health system, many of whom were receiving

medical attention in Serbia's major medical centres free of charge. There was a parallel health-care system, which included 386 private clinics in Kosovo and Metohija, whose owners were members of the Albanian national minority and which offered costly and low-quality services, but the members of the Albanian minority were increasingly resorting to clinics throughout Serbia, as shown by the study of the Public Health Institute of Serbia, which proposed a series of measures for resolving the whole health-care problem in Kosovo and Metohija.

5. Mr. de GOUTTES asked whether the delegation of Yugoslavia was prepared to authorize free access to Kosovo to the International Committee of the Red Cross (ICRC) and other humanitarian organizations.

6. The delegation of Yugoslavia had stated that cooperation with the Hague International Criminal Tribunal for the former Yugoslavia had been effective. In his view, it was insufficient in several respects. He disagreed with the argument that the transfer of Yugoslav criminals before the Court was contrary to a constitutional principle, that of non-extradition of nationals. The principle of excluding nationals did not apply to the case under consideration, because pursuant to the United Nations resolution creating the International Criminal Tribunal, all States were under a legal obligation to cooperate with it. That precluded opposition on grounds of a rule of domestic law.

7. Since Yugoslavia had accepted the individual communications procedure in the framework of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, what was preventing the Government from making the declaration on individual communications under article 14 of the International Convention on All Forms of Racial Discrimination.

8. Mr. DJORDJEVIC (Yugoslavia) said that his Government had made it clear in its statement of 10 March that ICRC was welcome in Kosovo and Metohija and could join their experts in investigating and assessing the situation there. Other international organizations and agencies were already on the scene. There was an office of the High Commissioner for Refugees and of the High Commissioner for Human Rights in Belgrade; their staff could travel without any restrictions. The International Committee of the Red Crescent was also present, as were humanitarian and other non-governmental organizations permanently based there. There had been several visits by Ms. Elizabeth Rehn, Special Rapporteur of the Commission on Human Rights on the situation in the former Yugoslavia. From time to time, requests were granted to visit certain areas.

9. As to the question on cooperation with the International Criminal Tribunal, he had already made the position of his Government sufficiently clear in his previous remarks.

10. With regard to article 14 of the Convention, he pointed out that the Federal Parliament, the only body authorized to make such a declaration, was rarely in session because of problems of an internal nature and because of the overall crisis in Yugoslavia. A formal proposal had been presented to the Parliament, and it was under consideration.

11. Mr. HODZA (Yugoslavia) said that he had a minor correction on a point made by his colleague that morning. In fact, Prizren had more than 30 mosques; there was no village in Kosovo and Metohija where a new mosque had not been built. His Government was not opposed to their construction. The mosques were used not only by Turks, but by all practising Muslims, Islam being the religion of the majority of the population in Kosovo and Metohija. The Turkish national minority, some 10,000 strong, had been living in that region, chiefly in Prizren, for many years.

12. Mr. RECHETOV (Country Rapporteur) said that in his response to the point raised by Mr. van Boven that morning, he had simply wanted to emphasize the fact that his position was also based on the Committee's general recommendations, which he himself had cited because they provided relevant guidelines for the work of the Committee.

13. Events in the territory of Yugoslavia over the previous few days were obviously not just an internal problem. While there was no question that it was the constitutional right of the country concerned to decide on the status of various areas in its territory, the problem ceased to be merely an internal one if the police exceeded their authority and force was used in a way that had an adverse effect on the population. He agreed in that connection with Mr. Diaconu and Mr. Lechuga Hevia that the Committee should express its concern about such situations, regardless of whether the events took place in Kosovo, Chechnya, the Basque Country or Ulster. In the course of the discussion, the question of implementation of the right to self-determination had been raised. He did not agree with the interpretation of the delegation of Yugoslavia on that right, which in his view was applicable to national minorities and other communities, but obviously must be exercised in accordance with the accepted rules of international law.

14. With regard to the point made by Mr. Nobel and endorsed by Mr. Shahi on a minority which could also be a majority in a particular part of a country, it was necessary to avoid double standards. After all, such a situation existed in the Crimea, Kashmir and many other areas. In his opinion, the majority-minority issue was not a decisive factor. He agreed with Mr. Shahi that when the population of a territory was systematically denied the exercise of its rights, a question might be raised on changing its status. However, there was no tangible proof that the population of Kosovo had been denied the opportunity to exercise its rights. If the Committee concluded that it was not exercising them for other reasons, that was a different matter.

15. He was generally reluctant to pursue political matters, but as the question had been raised during the discussion on Kosovo, the Committee might do well to consider the impact of the London Contact Group. While he thought that the Committee should support the Gonzalez mission and hoped that it would be successful, he was somewhat concerned about the Contact Group's decisions, which, he understood, contained no condemnation of terrorism or guarantee of the territorial integrity of the country. Some representatives of the Albanian community in Kosovo who had in the past been in favour of Kosovo remaining within the borders of the Federal Republic of Yugoslavia had suddenly changed their position, announcing that they would accept nothing less than full independence. He wondered what had triggered that about-face, and was led to believe that for some, protecting the rights of the Albanian

population and ensuring respect for human rights were less important than other aspirations. The situation unfortunately resembled to some extent the one in 1991, when the crisis had deepened and some countries had hastened to recognize some parts of the former Yugoslavia.

16. The delegation of Yugoslavia had provided much useful information. He welcomed its appeal for dialogue with the Albanian population in Kosovo and the Government's commitment to renewing the good-offices mission to Kosovo. Had the many explanations given by the delegation of Yugoslavia been included in the report, criticism of the latter might not have been so sharp. It was worth mentioning that the issues associated with the health-care system, which had been dealt with during the good-offices mission, had now been resolved, although at the time they had been considered to be as acute as those concerning education today.

17. He trusted that the renewed dialogue would give the Committee a better idea of the current situation in Yugoslavia and help ensure fuller implementation of the Convention in the reporting State.

18. Mr. HODZA (Yugoslavia) said that his delegation looked forward to a fruitful dialogue with the Committee in the future.

19. The CHAIRMAN said that on the issue of self-determination, there were diverging views within the Committee. He thanked the delegation for the resumption of what he trusted would be a continuing dialogue with the Committee.

20. The delegation of Yugoslavia withdrew.

Initial and second periodic reports of Armenia (CERD/C/289/Add.2; HRI/CORE/1/Add.57)

21. At the invitation of the Chairman, Mr. Melik-Shahnazarian, Mr. Nazarian and Ms. Dedeyan (Armenia) took places at the Committee table.

22. Mr. MELIK-SHAHNAZARIAN (Armenia) said that a specially created group of representatives from a number of ministries as well as from non-governmental organizations (NGOs) active in defending the interests of national minorities in Armenia had participated in the preparation of Armenia's report.

23. Compliance with the provisions of the Convention was closely linked to the overall domestic political situation in the country as well as to the progress made in ensuring that generally recognized norms in the field of human rights were implemented in national legislation and made part of the life of the country.

24. The human rights situation in Armenia and the other independent States which had emerged in the post-Soviet era had much in common. The efforts of the Armenian Government to consolidate the framework for enjoyment of human rights had been impeded by such factors as the transition to a free-market economy, which had entailed a sharp decline in living standards, a severe energy crisis, the blockade imposed by some neighbouring States, and attempts

to draw Armenia into the Azerbaijan-Nagorny Karabakh conflict. Under those circumstances, it had been difficult to guarantee even the most basic human right, the right to life, and all citizens of Armenia, regardless of any differences, were equally affected.

25. As in other former republics of the Soviet Union, the legislation applied in the early years of independence - and still in force in some areas - had made little provision for the protection of human rights, particularly those of national minorities. Unlike other republics, however, the transition to democracy in Armenia had not involved violent upheavals or racial and ethnic conflicts. Armenia's stability was an achievement attributable to the ancient culture of the Armenian people and to their wisdom, tolerance and innate respect for the principles of justice, democracy and human rights, which had played a decisive role in ensuring a civilized and democratic outcome to the recent internal political crisis over differences of approach to a settlement of the Nagorny Karabakh question, culminating in the resignation of the former President, Mr. Levon Ter-Petrossian. The maintenance of order, the absence of police reinforcements in the capital, the peaceful preparations for the presidential elections on 16 March 1998, the mutual respect displayed by the 12 presidential candidates representing a broad spectrum of political parties and organizations, and the participation of hundreds of foreign observers and experts in the preparatory work by the Central Electoral Commission constituted further evidence of Armenian progress along the path of democratic change and set an example for other young democracies.

26. The fact that the Armenian people had suffered human rights violations on a massive scale throughout their history had developed their sense of justice and respect for members of other races and ethnic groups. During the genocide of 1915-1923, 1.5 million people had been killed and many more had sought refuge abroad. As a result, the Armenian diaspora accounted for more than twice the existing population of Armenia. On the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, Armenia planned to submit a draft resolution to the forthcoming session of the Commission on Human Rights to mark the fiftieth anniversary of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

27. Aside from Ukraine and Belarus, which had enjoyed a special status within the Soviet Union, Armenia had been the first of the post-Soviet republics to accede to the basic human rights instruments. It had also concluded a cooperation agreement with the Centre for Human Rights and taken active measures to incorporate generally recognized human rights principles into domestic legislation, a project that involved awareness-building in the population and training of civil servants, legal personnel and the public authorities. With the assistance of the Centre for Human Rights, seminars had been held and manuals and human rights instruments had been published in the Armenian language. There were plans to publish all Armenian reports to human rights treaty bodies together with the committees' observations and recommendations with a view to involving wide sectors of the population, particularly NGOs, in subsequent action to ensure more effective compliance.

28. In the judicial and administrative reform process, intensive reference was being made to the provisions of international treaties, including the Convention. Article 6 of the 1995 Constitution stipulated that its norms were directly applicable.

29. During the period 1988-1990, hundreds of thousands of Armenians had been forced to flee from neighbouring Azerbaijan owing to ethnic persecution. Many refugees from Nagorny Karabakh had returned to their homes in the meantime but Armenia was still hosting some 72,000 displaced persons from Abkhazia. Refugees and displaced persons currently accounted for about 12 per cent of the population of Armenia, and almost 100,000 refugees were still homeless and unemployed. In addition, over 100,000 victims of the earthquake in Spitak in 1988 remained homeless.

30. Against that background, the situation of national minorities who were Armenian citizens gave grounds for optimism. The Union of Nationalities was an NGO representing some 15 ethnic associations. National minorities worked together in the Union to address educational, cultural, social and economic issues.

31. The Kurds had been a stable component (roughly 2 per cent) of the Armenian population for many decades and had always enjoyed a broad spectrum of human rights. The Kurdish language was taught in schools in the areas settled by Kurds. There was a Kurdish faculty in one of the universities and the Kurds had their own scientific establishments and radio and television programmes in the Kurdish language.

32. Presenting the Committee with a document showing the deadlines for reform of the country's administrative and legal system and the adoption of new legislation, he said that the first part of the draft Penal Code had been adopted in November 1997 and that the second part would be submitted to the National Assembly at the end of March 1998 for adoption about one month later. The last remaining piece of legislation on the implementation of judicial decisions was scheduled for adoption in August 1998.

33. The delegation was aware that certain relevant articles of the Labour Code, the Marriage and Family Code, the State Notaries Act, the Code of Penal Procedure, the draft Civil Code and the Citizenship of the Republic of Armenia Act had not been reflected in the report. The Committee's observations and those of relevant NGOs would be of assistance in preparing the next report. Account would also be taken of compliance with the provisions of the European Framework Convention for the Protection of National Minorities, to which Armenia had acceded in July 1997.

34. Mr. VALENCIA RODRÍGUEZ (Country Rapporteur) said that the Armenian people had survived many misfortunes thanks to its resilience and the preservation of its national identity. He noted that Armenia's difficulties had continued in recent years with the 1988 earthquake, armed conflicts, the energy crisis and a sharp decline in national income. According to the World Bank, 90 per cent of the population were living below the poverty threshold.

35. With reference to a communication (No. 83/12) of 4 March 1998 addressed to the Committee by the Permanent Representative of Azerbaijan to the United Nations Office at Geneva concerning the situation in Nagorny Karabakh and the associated political tensions between Azerbaijan and Armenia, he said that the Committee's jurisdiction in that regard was restricted by article 9 of the Convention. He expressed concern, however, at repeated allegations in the communication that Armenia was pursuing a policy of "ethnic cleansing" against nationals of Azerbaijan. He would inform the Ambassador of Azerbaijan that the appropriate procedure for having such allegations considered was that provided for under article 11 of the Convention. The same applied to allegations by the Government of Armenia regarding discrimination against Armenians by Azerbaijan.

36. The publication Critique alleged that in 1996 the conduct of the presidential elections and what it described as "government abuses", directed in particular against the opposition, had led to a significant deterioration in the human rights situation in Armenia. The electoral process had also been criticized by the Organization for Security and Cooperation in Europe, and the European Parliament had adopted a resolution calling for new elections. In a report published in May 1997, the Parliamentary Assembly of the Council of Europe had stated that Armenia's judicial system was incompatible with Council standards for human rights protection and recommended that the crisis should be resolved in such a way as to ensure pluralism and give meaning to the institutions of parliamentary democracy already established.

37. According to the report, there were some 85,000 ethnic Azeris living in Armenia but the Ambassador of Azerbaijan claimed that, as a result of the Government's policy of expulsion, not a single member of the previous Azeri community of some half a million persons remained. He asked the delegation to comment on those figures and on allegations of discrimination against the Azeri minority.

38. With reference to paragraph 58 of the report, the Committee wished to know more about the situation of all foreigners resident in the country.

39. He asked for further information regarding the Union of Nationalities and its specific achievements in addressing the problems of minorities.

40. Welcoming the signing by Armenia of the Commonwealth of Independent States (CIS) Agreement on questions relating to the restoration of the rights of deported persons, national minorities and peoples and the Convention on the safeguarding of the rights of members of national minorities, he asked for information on the results of the implementation of those instruments.

41. What measures had the Government of Armenia adopted with a view to preventing racial discrimination in the context of the inflow of large numbers of refugees from Nagorny Karabakh and Abkhazia and the departure of some 168,000 ethnic Azeris?

42. Paragraph 14 claimed that national minorities had always enjoyed the same freedoms as Armenians. To which freedoms did that refer?

43. Noting that article 43 of the Constitution stipulated that the rights and freedoms set forth in the Constitution were not exhaustive and should not be construed as negating or diminishing other universally accepted human and civil rights, he drew attention to the pitfalls involved in interpreting the phrase "other universally accepted human and civil rights" and asked whether secondary legal norms had been developed to give effective application to the constitutional provisions.

44. He noted with satisfaction that international treaties took precedence over domestic laws and that human rights provisions could be invoked in the courts. Had any such provisions, not necessarily of the Convention, been invoked in practice?

45. The wording of article 69 of the existing Penal Code was not entirely consistent with the terms of article 4 of the Convention. Given that it was not considered advisable to introduce a special category of offences with a racial motivation (paragraph 83) and that the new Penal Code had not yet been adopted, he recommended that the Government should take steps to bring it more fully into line with article 4. When was the Penal Code scheduled to enter into force?

46. The report referred to various articles of the Constitution which were of relevance to article 5 of the Convention. What legal norms had been adopted to give effect to the constitutional provisions and how had they been applied in practice?

47. Paragraph 95 referred to the "continued low level of protection of human rights", a phrase which required further explanation and from which he understood that torture and other forms of cruel and degrading treatment continued to occur. He recommended that judges and, in particular, law enforcement officers should be given special training in human rights and the obligations deriving from the Convention.

48. Referring to paragraph 98, he asked whether members of national minorities were entitled to participate in referenda.

49. With regard to paragraph 104 concerning freedom of movement and choice of residence, what was the position of aliens whose countries of origin had not concluded an international treaty with Armenia, or if an existing treaty failed to mention the rights in question? According to paragraph 106, foreign citizens could be prohibited from leaving Armenia if criminal proceedings had been instituted against them, if they had been convicted or if they were serving a sentence. Did the same prohibition apply to Armenian citizens?

50. He asked for an explanation of the statement in paragraph 109 that Armenians acquired citizenship through a simplified procedure. He assumed it did not mean that they were stateless until they completed the procedure. In the same context, he noted that Armenia did not accept dual nationality despite a growing trend towards acceptance of such status.

51. He asked for more information on the exceptions to article 9 of the Civil Code, according to which the rights and duties of aliens were similar to those of citizens. For example, paragraph 110 of the report stated that

aliens were not entitled to own land in Armenia. He could understand if that provision were limited to border areas, especially in the light of present tensions in the region, but such a general prohibition could harm the country's efforts to promote foreign investment. What was the nature and scope of the exceptions to the Privatization Act that applied specifically to aliens? While it was also understandable that aliens were not entitled to join political parties, he wished to know why certain citizens working for the Government were prohibited from becoming members of socio-political organizations (paragraph 139). Was the idea to ensure the independence and impartiality of the electoral process? What had been the Government's experience in that regard?

52. He noted the difficulties encountered in educational provision and welcomed the objectives of education strategy described in paragraph 181, whose effective implementation would depend on internal peace and adequate budgetary allocations. Paragraph 176 referred to the education of refugees, most of whom were from Azerbaijan. The official language of instruction and of the Administration was Armenian, which in practice made it even harder for refugees to engage in professional or civic activities. The Government should consider offering instruction and training not only to refugees, but also to members of national minorities, in their main languages.

53. He asked for the texts, and dates of entry into force, of the legislation on marriage and the family, the right to peaceful assembly, settlement of collective labour disputes, the new Labour Code, new Employment Act and international instruments ratified, particularly in the field of human rights.

54. According to paragraph 84, Armenia did not compile statistics on racially motivated offences, but it had the obligation to do so under article 6 of the Convention. The Committee was especially interested in knowing about the sweeping reforms of the judicial system, referred to in paragraph 198, particularly in view of the report of the Parliamentary Assembly of the Council of Europe. Useful information had been provided regarding article 7 and further measures along the lines described were recommended. Reports of inadequate instruction in the principal minority languages gave cause for concern.

55. Mr. de GOUTTES said that the report, in conjunction with the core document (HRI/CORE/1/Add.57), contained interesting information, especially regarding article 5, the demographic composition of the population and the protection afforded to minorities who, although not numerous in Armenia, benefited from membership of the Union of Nationalities, on which he would like more information. The provisions of the Penal Code seemed to meet the requirements of article 4, except for the apparent lack of penal sanctions for the refusal to provide goods, services or sales on racial grounds.

56. Could consideration be given to compiling legal statistics on racially motivated offences and including them in the next report, as the Committee had recommended? What progress had been made in carrying out the sweeping reforms of the judicial system referred to in paragraph 198? He would also like more comprehensive information on the Convention on the safeguarding of the rights

of members of national minorities of the Commonwealth of Independent States (CIS) and on the Human Rights Commission charged with monitoring its implementation (paragraphs 74-80). Was the prohibition against foreign citizens becoming members of socio-political organizations in conformity with article 5 (c) of the Convention?

57. Mr. NOBEL asked about the statement in paragraph 30 that, although Armenian judicial and administrative practice permitted reference to the provisions of the human rights conventions and other relevant international instruments, the legal application of those provisions depended upon their prior incorporation into domestic legislation. What was the purpose of referring to a body of international law which had not been thus incorporated? Provisions of international law could be incorporated into domestic legislation either by transposing them verbatim into the latter, whereby they would acquire full validity, or by transferring merely the substance of the international law to national legislation. Was he correct in assuming that Armenian legislators preferred the latter method?

58. Mr. SHERIFIS asked for a list of the human rights instruments to which Armenia was a party. Was the Government considering making the declaration under article 14? Had it initiated procedures for accepting the amendments to article 8, paragraph 6? He urged the State party to do so and also to consider establishing a national commission as envisaged by General Recommendation XVII. The ongoing project to organize seminars, train specialists and disseminate human rights literature (paragraph 201) was a welcome development, but he would like more information. What measures were being taken to implement the second part of article 7, namely to propagate the principles and objectives of the Charter, the human rights declarations and the Convention?

59. Mrs. SADIQ ALI asked about the Government's "radical economic reform programme", which according to paragraph 26 of the core document involved the privatization of agricultural land and small industrial enterprises. Did the privatization of agricultural land mean land reform? If so, how many people had benefited? The claim of 98.9 per cent literacy (paragraph 29 of the core document) seemed to contradict the statement in the report that the reorganization of the educational system was lagging somewhat behind the pace of reform in other sectors, on account of the limited availability of funds and inefficient organization of the administrative system. Had the literacy rate gone down, and if so, to what extent? What educational reforms were envisaged? Was the administrative system being streamlined to make the reform a success?

60. Mr. RECHETOV welcomed the initiation of Armenia's dialogue with the Committee. Referring to paragraph 84 of the report, he pointed out that since, under the new Penal Code, those guilty of propaganda or agitation aimed at inciting racial or ethnic hatred or discord would be punished, that should enable the State Party to provide statistics on racially motivated offences.

61. Religious organizations appeared to have complete freedom in their activities. There were some communities and sects that were not even registered, although some of them were viewed as dangerous in the Russian Federation and Japan, where attempts were made to prevent them from

propagating their beliefs. It was not clear from the report whether religious organizations really did have to be registered or whether legislative provisions were simply interpreted very liberally in practice.

62. The prohibition against foreign nationals belonging to socio-political organizations was quite broad in scope. He could understand its applicability to political parties, but he doubted whether foreigners could actually be prevented from joining such organizations as those devoted to purely leisure activities.

63. The CHAIRMAN suggested that the delegation should reply only to questions concerning human rights in Armenia and should not address the allegations contained in the letter from the Permanent Mission of Azerbaijan to which Mr. Valencia Rodriguez had referred.

64. The delegation of Armenia withdrew.

The meeting was suspended at 5.05 p.m. and resumed at 5.25 p.m.

MEETING WITH THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

65. Mrs. ROBINSON (United Nations High Commissioner for Human Rights), said that the Committee, the oldest of the human rights treaty monitoring bodies, had a good record in its dialogue with Member States. She welcomed the opportunity to meet Committee members in the context of their work and to hear their concerns, comments or questions at that early stage of her mandate. She was particularly interested in their insights on how the reporting procedures were working and the manner in which State party reports were considered.

66. Mr. SHERIFIS said the Committee looked forward to cooperating closely with the High Commissioner within its sphere of competence and to standing by her in her campaign for the advancement of human rights worldwide. There were many parts of the world where discrimination was still rampant, human rights were denied and whole peoples were held in subjection. The Committee had endeavoured to play its part by expanding its potential with the introduction of the review procedure and the early warning and urgent procedure and its attempts to achieve greater efficiency in dealing with its increased workload. However, it needed more Secretariat support, and would rely on the new Office of the High Commissioner in order to carry out its obligations under the Convention more effectively. It warmly appreciated the active cooperation of the Chief ad interim of the Support Services Branch, but she had to divide her time into servicing many other committees as well. Frequent rotation of persons acting as secretary of the Committee and intern assistants was not conducive to continuity. Aware though it was of diminishing resources, the Committee hoped the High Commissioner would find ways to solve those important problems.

67. The Committee would welcome the High Commissioner's support for the proposal to hold its first annual session in New York, which would improve dialogue with small developing nations whose Permanent Missions were located there.

68. The High Commissioner was in a position to help achieve universal ratification of the Convention and work with the Committee to publicize the principles and objectives of the Convention around the world.

69. Mr. RECHETOV applauded the High Commissioner's statement in an interview with the British Broadcasting Corporation (BBC) on how she wanted to increase recognition of human rights and improve contact with Governments around the world.

70. It was a sad fact that Governments took most interest in human rights bodies from which they could derive most political capital, such as the Commission on Human Rights, to the detriment of the Committee on the Elimination of Racial Discrimination and, often, their reporting obligations thereto.

71. The Conference that was taking place in London to consider certain Eastern European countries' application for membership of the European Union showed the prevailing bias regarding human rights records that were based on information from the largely Western-dominated press and from high-profile bodies like the Commission on Human Rights. It often happened that countries escaped criticism for their human rights records in politically oriented human rights bodies, which were made up of State representatives, but were severely censured in non-political bodies made up of independent experts. The High Commissioner should therefore actively work towards ensuring that human rights issues were divorced from politics so that a more objective picture could be painted of the situation of human rights in the territories of States parties.

72. Mr. GARVALOV said that the Committee's wealth of experience in identifying and combating racial and ethnic discrimination, and the expertise of its members, could be of great help to the High Commissioner in her work. Its concluding observations and decisions, particularly those under the agenda item on prevention of discrimination, including early warning and urgent action procedures, merited more specific attention by the Office of the High Commissioner and the Third Committee of the General Assembly. The Committee had been the first body to sound the warning that problems were brewing in Kosovo, Rwanda and Burundi and to suggest certain action. The Committee, in the light of its specialized expertise, should not be kept on the sidelines of world conferences that dealt with its particular area of competence.

73. The Committee and other human rights treaty bodies needed to be given an opportunity to discuss their work and role and ways of improving their performance and of helping to reform and restructure United Nations human rights activities. He reiterated his own suggestion that a United Nations-sponsored conference, seminar or workshop should be held to give treaty bodies such an opportunity.

74. The universality of international human rights instruments was meaningless if States parties failed to comply with them. There was little the Committee or other treaty bodies could do to force States to comply. The Office of the High Commissioner should, therefore, consider how best to promote compliance with international human rights instruments.

75. He commended the work of the Chief ad interim of the Support Services Branch, the Secretary of the Committee and the Secretariat as a whole.

76. Mr. SHAHI congratulated the High Commissioner on her election. She had been hailed by the Secretary-General of the United Nations as an extraordinary leader who would bring dynamism, credibility and leadership to the post. Expectations were thus high that she would be able to ensure more effective protection and promotion of human rights, and prevent massive violations of those rights, including genocide.

77. With hindsight, it was clear that the genocide in Bosnia and Herzegovina and Rwanda could have been halted if the United Nations had committed sufficient troops with a peace enforcement mandate to intervene to halt the massacres. The United Nations needed a rapid reaction force that could be deployed promptly once early warnings were issued. That question was becoming urgent in the light of the warning of the United States of America that genocide was brewing once again in Rwanda.

78. Mr. de GOUTTES, welcoming the first official contact between the High Commissioner and the Committee, shared the view of other Committee members that stability and increased resources were needed to facilitate the work of the Secretariat staff responsible for servicing the Committee, and that it was necessary to safeguard the specificity of reports under each Convention.

79. Among the initiatives taken by the Committee for which the High Commissioner's support would be welcome were its procedures for early warning and urgent action. The measures had proved effective and had been approved at the World Conference on Human Rights and in the General Assembly, although some States continued to have reservations.

80. The Committee's procedures for reviewing implementation of the Convention in States parties whose reports were seriously overdue had also been effective and had been welcomed by the Commission on Human Rights and the General Assembly. Some States had expressed reservations as to whether the procedure was provided for in the Convention.

81. The Committee had also institutionalized exchanges and coordination with other human rights treaty bodies, and universal and regional organizations that dealt with the question of racial discrimination, thus improving the efficiency of its work. He requested the assistance of the High Commissioner in organizing those exchanges and coordinating meetings with members of other treaty bodies and expressed the hope that meetings with the High Commissioner would continue.

82. Mr. YUTZIS said that the United Nations financial difficulties coincided with a growth in the Committee's workload due to an increase in the number of States parties to the Convention and, sadly, an increase in racial discrimination. The Committee was facing practical problems in terms of the translation of country reports and relevant documents, particularly into French and Spanish. He asked the High Commissioner to try to rectify the situation.

83. He applauded the work of the acting Chief of the Support Services Branch, but urged the Office to ensure continuity in the staff assigned to deal with the work of the Committee. For practical reasons the Committee's first annual session should be held in New York.

84. The Committee was not always able to do as much as it wanted in certain areas and was a long way from being as effective as it should be. However, that did not detract from the high level of professionalism and expertise in the Committee. It should therefore be called on more often, inter alia by other human rights committees, to help prevent racial discrimination or to give its expert opinion and advice on situations within its mandate.

85. Ms. McDOUGALL said that the world was at a critical juncture, a time when ethnic conflict was marring the course of global human development. Joint efforts were needed to find more effective ways of creating conditions for racial equality worldwide.

86. Presumably, the Committee would be called on to play a central role in the World Conference against Racism and Racial Discrimination, Xenophobia and Related Intolerance which would be held some time before 2001. She asked what vision the High Commissioner had for the Conference and how the Committee could contribute.

87. Mrs. ROBINSON (High Commissioner for Human Rights) thanked the Committee for its support and encouragement. She was aware how much she needed to learn but her meeting with the Committee had given her a better understanding of its work and of the commitment of its members to their task.

88. Concerns about consistency of staffing and the working of treaty bodies had already been raised at meetings with the chairpersons of human rights treaty bodies. Restructuring had now been completed and should provide a more focused and proactive approach to servicing the committees. She was aware of her great responsibility to provide the best possible support for human rights mechanisms and treaty bodies. That responsibility was brought into sharp focus by the fiftieth anniversary of the Universal Declaration of Human Rights.

89. The level of expertise in those bodies was in no doubt. The Committee's comments were duly noted. The general comments and observations of the Committee, and specific aspects of its work, were regularly brought up during daily morning meetings with the senior staff of the Support Services Branch because the Office followed the work of the treaty bodies with interest. That the Commission on Human Rights, under its incoming Chairman, might be initiating a review of the work and role of the treaty bodies and monitoring mechanisms might be a useful additional focus for debate and draw wider attention to the work and expertise of the treaty bodies, including those of the Committee.

90. She intended to be very supportive of the Committee's initiative on early warning and urgent procedures and their important role. Every effort would be made to ensure that a balanced approach was taken to critical situations in various countries, in full awareness of prevailing circumstances

on the ground. The complex nature of such situations, which, though occurring within States, had global implications, called for the special expertise of bodies like the Committee.

91. Questions related to the proposed World Conference and indeed the politicization of human rights in the Commission on Human Rights and elsewhere were matters to be considered by Member States themselves. She awaited their commitment to the holding of the Conference with keen interest.

92. The issues raised at the Seminar on the Role of the Internet with regard to the Provisions of the International Convention on the Elimination of All Forms of Racial Discrimination underscored the value of the Committee's work.

93. The CHAIRMAN thanked the High Commissioner for her participation in the Committee's meeting.

The meeting rose at 6.15 p.m.